## United States District Court

for the SOUTHERN District of INDIANA

Division 4:23-cv-00059-SEB-KMB Case No. ROBERT CLARK (to be filled in by the Clerk's Office) Plaintiff(s) (Write the full name of each plaintiff who is filing this complaint. Jury Trial: (check one) Yes If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.) **FILED** LEE H. DAVIDSON 04/13/2023 JORDAN R. HARTMAN U.S. DISTRICT COURT SOUTHERN DISTRICT OF INDIANA Roger A.G. Sharpe, Clerk Defendant(s) (Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

## **NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I.

INSD Pro Se Civil Rights Complaint (unrelated to imprisonment) (adapted from AO Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

	The Plaintiff(s)		
	Provide the information below for	each plaintiff named in the complaint. Attach additional pag	es if
	needed.		
	Name	ROBERT CLARK	
	Address	212 W CARRST. P.O. BOX 28/	
			31
		City State Zip Co	ode
	County	RIPLEY	
1	Telephone Number	352-446-8121	
	E-Mail Address	NASTYRED 0714 @ G-MAIL. COM	
	TV D C 1 (1)		
	The Defendant(s)		
	include the person's job or title (it	an organization, or a corporation. For an individual defendate f known) and check whether you are bringing this complaint or official capacity, or both. Attach additional pages if neede	agams
	Defendant No. 1		
	Name	LEE H. DAVIDSON	01
	Job or Title (if known)	DEPUTY RIDLEY COUNTY Sheft	-
	Address		
	radiess		
	ridaross		
	Address	City State Zip C	'ode
	County	City State Zip C	'ode
	County Telephone Number	City State Zip C	'ode
	County	City State Zip C	'ode
	County Telephone Number	City State Zip C	'ode
	County Telephone Number		'ode
	County Telephone Number	Individual capacity Official capacity	'ode
	County Telephone Number E-Mail Address <i>(if known)</i>		'ode
	County Telephone Number E-Mail Address (if known)  Defendant No. 2	Individual capacity Official capacity	CA
	County Telephone Number E-Mail Address (if known)  Defendant No. 2 Name	Individual capacity Official capacity	l'ode
	County Telephone Number E-Mail Address (if known)  Defendant No. 2 Name Job or Title (if known)	Individual capacity  Official capacity  JORDAN R. HACTMAN  DEPUTY RIPLEY COUNTY She	e, A
	County Telephone Number E-Mail Address (if known)  Defendant No. 2 Name Job or Title (if known) Address	Individual capacity Official capacity	e, A
	County Telephone Number E-Mail Address (if known)  Defendant No. 2 Name Job or Title (if known) Address  County	Individual capacity  Official capacity  JORDAN R. HACTMAN  DEPUTY RIPLEY COUNTY She	e, A
	County Telephone Number E-Mail Address (if known)  Defendant No. 2 Name Job or Title (if known) Address	Individual capacity  Official capacity  JORDAN R. HACTMAN  DEPUTY RIPLEY COUNTY She	e, A

Name Job or Title (if known) Address  City State Zip Code  County Telephone Number E-Mail Address (if known)  Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.  A. Are you bringing suit against (check all that apply):  Federal officials (a Bivens claim)  State or local officials (a § 1983 claim)  B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secure the Constitution and [federal laws]," 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials  EXCESSIVE FORCE SECUTION TAMPERING WITH CONDENSED PROPERT AND THE CONDENSED PROPERTY OF THE CONDENS		Defendant No. 3			
County Telephone Number E-Mail Address (if known)  Individual capacity  Official capacity  Individual capacity  Official capacity  Individual capacity  Official capacity  Inder 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.  A. Are you bringing suit against (check all that apply):  Federal officials (a Bivens claim)  State or local officials (a § 1983 claim)  B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secure the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local official federal laws]." 42 U.S.C. § 1983. If you are suing under Bivens may only recover for the violation of certain constitutional rights. If are suing under Bivens, what constitutional right(s) do you claim is/are being violated by federal		Name			
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Telephone Number E-Mail Address (if known)  II. Basis for Jurisdiction  Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.  A. Are you bringing suit against (check all that apply):  Federal officials (a Bivens claim)  State or local officials (a § 1983 claim)  B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secure the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local official for the violation of certain constitutional rights. If you are suing under Bivens may only recover for the violation of certain constitutional rights. If you are suing under Bivens, what constitutional right(s) do you claim is/are being violated by federal		County	City		•
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the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local official Excessive force.  Excessive force: Seziule of Personal Property with Conditional Through Property with Conditional Property Conditional rights. If you are suing under Bivens, what constitutional right(s) do you claim is/are being violated by federal		State or local officials (a §	3 1983 claim)		
Excessive force Seziure of Personal Propert without wanted Malicious Prosecution, Tampering with Evidence Desta Evidence.  C. Plaintiffs suing under Bivens may only recover for the violation of certain constitutional rights. If y are suing under Bivens, what constitutional right(s) do you claim is/are being violated by federal	]	the Constitution and [federal la	aws]" 42 U.S.C. 8 1983. If you	i are suing under sec	ion 1985, Wilai
are suing under Bivens, what constitutional right(s) do you claim is/are being violated by lederal	Ex	CESSIVE FORCE SEZIURE	E of PERSONAL T	PROPERT WITH	E DESTROYIE
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INSD Pro Se Civil Rights Complaint (unrelated to imprisonment) (adapted from AO Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

## III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

**A.** Where did the events giving rise to your claim(s) occur?

3. P. GAS STATION DELAWARE IND

B. What date and approximate time did the events giving rise to your claim(s).occur?

1-19-23 - 5:40 Pm

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

ON 1-19-23 IWAS PASSENGER IN VEHICLE STOPED AT BPGMS STATIONS I WENT TO GET OUT OFFICER TURNED ON HIS BLUE LIGHTS AND SCREMMED GET BACK IN THE JODDAMN TRUCK OFFICER GOT OUT OF PATROL CAR AND ODENIED BACK PASSENGER DANKED STAND STORD BEALIND IT MAKING MOTIOUS THAT LOOKED LIKE HE WITS REMOVING ITEMS FROM HIS UNIFORM, I PULLED MY CELL PHONE OUT AND STARTED TO RECORD HIS ACTIONS, IN LOUD VOICE I ASKED FOR HIS NAME AND BADGE NUMBER, I WAS MORE THAN 25 FEET AWAY FROM HIM HE PULLED WEAPON AND SCREMMED NOT TO WALK UP ON HIM I WAS MORE THAN 35 FEET AWAY FROM HIM AND NOT POSSING ANY THREAT, NOR WAS I MAKING ANY AGGRESSUE MOTIONS TOWARDS HIM I TURNED AND VERY CALMLY WALKED APPOX ID FOET BACK TO PASSENGED DOOR OF MY THUCK. OFFICER RUNS UP WITH QUN DRAWN GRABS ME, SLINGS ME TO THE GROUND AND STARTS REPETEDLY PUNCHING ME IN THE SIDES AND HEAD, THIS CONTINUED FOR 3-4 MINITES WITH ILL PASSENSY ASKED IF HE NEEDED HELD, THEN HE STOPPED PUNCHING ME AND TIT HAM CUFFS ON ME. OFFICER JORDAN HART MAND TOOK ME TO RIPLEY COUNTY JAIL WHORE HE TOOK MY PHONE WITHOUT WARDLENT PHONE WAS HELD FOR 2 WEEK BEFON WARRENT WAS ISSUED FOR THE SEZIURE AND SEARCH, VIDEO WAS NOT ON PHONE, CHARLOTTE CUMMING LOOKED AT UIDEO BEFOR POLICE TOOK PHONE OUT OF TRUCK SHE ALSO PAGE 40T 6 WITNESSED ENTIRE INCIDENT. SEE ATTACHED PAGE

Pro S	Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)		
IV.	Injuries		
	A LIME WIND LINES LINES	nast Police	nedical
-	PROSECUTOR OFFICE. This HAS GREATLY REDUCED MY IN THE JUSTICE SISTEM, AND I NOW HAVE P GOING TO HAVE TO SEE COUNSIDER	4500	DELIVE I I'M
v.	Relief		
	State briefly what you want the court to do for you. Make no legal arguments. Description of any actual damages and/or pacts alleged. Explain the basis for these claims.  FUND BOTH OFFICER TO BE STRIPPED OF OFFICER DAVIDSON HAS LIED TO COURT HIS ACTIONS  TAM SEEKING TAMAGES	punitive damages	es or statutes. If claimed for the
VI	. Certification and Closing		
	Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best and belief that this complaint: (1) is not being presented for an improper purpos unnecessary delay, or needlessly increase the cost of litigation; (2) is supported nonfrivolous argument for extending, modifying, or reversing existing law; (3) evidentiary support or, if specifically so identified, will likely have evidentiary opportunity for further investigation or discovery; and (4) the complaint otherw requirements of Rule 11.	se, such as to haras I by existing law of the factual conten support after a rea	ss, cause or by a tions have asonable
	A. For Parties Without an Attorney		
	I agree to provide the Clerk's Office with any changes to my address	where case-relat	ed papers may be

served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

В.	For Attorneys				
	Date of signing:				
	Signature of Attorney				
	Printed Name of Attorney				
	Bar Number	,			
	Name of Law Firm				
	Address				
	-				
	-		City	State	Zip Code
	Telephone Number				
	E-mail Address				

PLAINTIFF, LAS SPENT MORE THAN 3 MONTHS IN JAIL DUE
TO OFFICER DANDSON FALSE RESPORT OF RESETING ARREST
THE ENTIRE INCIDENT WAS CAPTURED ON VIDEO
DETAINED FROM BP. GAS STATION IN DELAWARE TWO
AND WERE ADMITTED AS EVIDENCE IN CAUSE #
LOGDOI-2301-FLO-000012, VIDEO SHOWS OFFICER
THROWING PLAINTIFF TO GROUND AND VICIOUSLY BEATING
UN ARMED PLAINTIFF WHO WAS CLEARLY NOT FLEEINS,
OR RESISTING AS FALSELY STATED IN ARREST RESPORT
AND CRIMINAL CHARGING INFORMATION, JORDAN
HALT MAN DID KNOWINGLY VIOLATE 4 AMENDMENT
RIGHTS BY TAKING CELL PHONE WITHOUT WARRENT
THE VIDEO I RECORDED WAS DESTROYED; WITHOUT
MY CONSENT BY OFFICERS DAVIDSON AND HAPTMAN